

April 10, 1975

PRESIDENT: Are there objections? Seeing none, it is so ordered.

CLERK: There is a request to layover LB 272 and 343.

PRESIDENT: Are there objections? Seeing none, that is also ordered.

CLERK: Mr. President, LB 249. Introduced by J. W. Burbach fo the 19th District. Bill read.

SENATOR BURBACH: I visited with Senator Kremer just a few moments ago and he said there was an error in the amendments, the committee amendments. So I would ask that we pass over this but bring it up sometime this afternoon.

PRESIDENT: It will be temporarily passed over. LB 265.

CLERK: Legislative Bill 265. Introduced by the Public Works Committee and signed by the members thereof. Bill read. There is an amendment by Senator Kremer's Public Works Committee. (Discussion not picked up on the tape).

PRESIDENT: Senator Schmit, you have a bill coming up.

CLERK: LB 434. Introduced by the Committee on Agriculture and Environment and signed by the members thereof. Bill read. There are amendments by Senator Schmit's Agriculture Committee.

PRESIDENT: LB 434. We do have some guests of Senator Johnson. There are forty people from the Lutheran Church women of Hooper. We are very happy to have you here. Welcome to the Nebraska Legislature. Come back again. Senator Schmit, are you ready?

SENATOR SCHMIT: Yes, I'm ready. I move the adoption of the committee amendments, Mr. President. Mr. President, members of the Legislature, the committee amendments do these things. On page 2, strike line 6-20 and insert the following language, "any retailer purchasing meat or meat food products from any slaughtering establishment, doing business in Nebraska, shall account and pay for such products within 72 hours from the date of shipment." The second amendment, we establish a cause of action when we say it shall be unlawful for any retailer to fail to remit payment within 72 hours and the third amendment that we offered, provides that if a retailer discounted a shipment of meat, that there was provided for an action whereby the packing company could claim and file an action in court, against the retailer, that all the cost should be attributed to the retailer and that double the court cost, that double the value of the product would be assessed against the retailer who took unnecessary discount. This again is one of the bills that we introduced as a result of the American Beef Plant closing. During the time that we held hearings on the matter, it was disclosed that the retailers, in many cases, delayed payment for meat for as many as 20 to 28 days. This resulted in a serious credit problems for the packer which in turn caused lower prices to the producer and in affect, did contribute to the diminish of at least one packer, and serious financial difficulties for another. We have also at a meeting two weeks ago today, in Kansas City, I met with surrounding states who have included a similar type legislation in their legislatures. We have drafted a resolution which we will submit to the Congress and to the USDA for its approval, and that resolution will do on a federal basis what this bill does on a state basis. I move the adoption of the committee amendments.